

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

**FRANK MUCERINO III and  
CREEKSIDE TERRACE LLC,**

**Plaintiffs**

**v.**

**CHARLES JOSHUA DALE MARTIN,**

**Defendant**

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**Case No. 3:21-cv-00284**

**DEFENDANT’S MOTION FOR EXTENSION TO FILE RESPONSIVE PLEADING  
AND  
MOTION FOR DISCOVERY CONFERENCE**

Defendant Charles Joshua Dale Martin moves the Court to extend the deadline to file his responsive pleading, currently due on May 5, 2021, for a time sufficient for the parties to engage in expedited discovery related to and to brief Plaintiffs’ assertion that this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332.

Defendant also moves the Court to set a telephonic discovery conference to address expedited discovery and briefing related to Plaintiffs’ assertion that this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332.

Plaintiffs’ counsel has advised Defendant’s counsel that he does not object to the relief sought in these motions.

Respectfully submitted,

/s/ John P. Nefflen

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*Attorneys for Defendant Charles Joshua Dale  
Martin*

### **CERTIFICATE OF SERVICE**

I certify that on May 4, 2021, the foregoing *Defendant's Motion for Extension to File Responsive Pleading and Motion for Discovery Conference* was filed electronically with this Court and served by operation of the Court's Case Management / Electronic Case Filing System on:

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/s/ John P. Nefflen

John P. Nefflen